IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

APPEAL FROM ORDER NO.764 OF 2004
IN
NOTICE OF MOTION NO.2886 OF 2004
IN
S.C. SUIT NO.1773 OF 2004

Ramprasad Bhagwanprasad Anand & Ors. ... Appellants

V/s.

Asharani Yaggopal Singh Chaddha & Ors. ... Respondents

Mr.P.S. Gidwani for Appellants
Mr.D.D. Madan with A.R. Mehra i/b Shukla & Shukla for Respondent Nos.1 to 5

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 12, 2004**

P.C.:

. The trial Court by dismissing the Notice of Motion had directed the plaintiff and the defendants to maintain status quo in respect of the suit premises. Both the parties were directed not to attempt to use the suit premiss. The trial Court has given cogent reasons for passing such an order. It has been found that the title of the suit premises is in dispute. Both the parties have been unable to prove their title and hence, the trial Court has directed them to maintain status quo. It appears that neither party has been using the suit premises for a long time as stated in the Report of the Court Commissioner.

2. In such circumstance, I see no reason to interfere with the order of the trial Court as it has refused to grant injunction sought for by the plaintiff but directed the parties to maintain status quo and not to use the suit premises.

3. Appeal from Order dismissed.